

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                               |   |                            |
|-------------------------------|---|----------------------------|
| UNITED STATES OF AMERICA,     | ) | CASE NO. 5:07CR517         |
|                               | ) |                            |
| Plaintiff,                    | ) | JUDGE CHRISTOPHER A. BOYKO |
|                               | ) |                            |
| v.                            | ) |                            |
|                               | ) | <u>ORDER</u>               |
| CANDELARIA GASTELUM DE IRIBE, | ) |                            |
|                               | ) |                            |
| Defendant.                    | ) |                            |

WHEREAS, the United States has filed Notice of Intent to Request Judicial Removal and Factual Allegations in Support of Removal of CANDELARIA GASTELUM DE IRIBE, stating as follows:

1. The defendant, CANDELARIA GASTELUM DE IRIBE, is not a citizen or national of the United States.
2. Defendant is a native of Mexico, and a citizen of Mexico.
3. Defendant entered the United States in September of 2007.
4. On APRIL 11, 2008, defendant pled guilty to conspiracy to possess with the intent to distribute at least 5

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kilograms or more of cocaine, in violation of Title 21, United States Code, Section 846, in Case No. 5:07CR517, in United States District Court, Cleveland, Ohio.

AND WHEREAS, the United States has charged that at her sentencing defendant will be subject to removal under 8 U.S.C. §1227(a)(2)(A)(iii) of the Immigration and Nationality Act, in that at any time after entry, defendant will have been convicted of an aggravated felony as described in 8 U.S.C. §1101(a)(43)(B), an offense relating to the illicit trafficking in a controlled substance, as described in 21 U.S.C. §802.

AND WHEREAS, CANDELARIA GASTELUM DE IRIBE executed a plea agreement admitting all factual allegations contained in the Notice of Intent to Request Judicial Removal and Factual Allegations in Support of Removal to be true and correct, and conceded to be removed from the United States and requested judicial removal to Mexico.

Accordingly, it is HEREBY ORDERED, ADJUDGED, AND DECREED:  
That CANDELARIA GASTELUM DE IRIBE is removable from the United States under 8 U.S.C. §1227(a)(2)(A)(iii) of the Immigration and Nationality Act, in that after entry, defendant was convicted of an aggravated felony, as defined in 8 U.S.C. §1101(a)(43)(B).

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IT IS FURTHER ORDERED, pursuant to 8 U.S.C. §1228(c), that the defendant be removed from the United States so that promptly upon her release from confinement herein, the Department of Homeland Security, Immigration and Customs Enforcement, may execute said removal order according to applicable laws and regulations.

*Christopher A. Boyko*

CHRISTOPHER A. BOYKO  
UNITED STATES DISTRICT JUDGE

7/24/08

DATE

**FILED**

JUL 24 2008

CLERK OF COURTS  
U.S. DISTRICT COURT, N.D.O.  
CLEVELAND